



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4182  
(909) 396-2000 • www.aqmd.gov

**SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**PROJECT TITLE: PROPOSED AMENDED RULE 2449 – CONTROL OF OXIDES OF NITROGEN EMISSIONS FROM OFF-ROAD DIESEL VEHICLES**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (SCAQMD) is the Lead Agency and will prepare a Notice of Exemption for the project identified above.

The provisions of Article 4.8, Chapter 9, Title 13 of the California Code of Regulations (CCR), Section 2449.3, in effect June 15, 2008, were adopted in full by the SCAQMD on May 2, 2008 through the “opt-in” provision provided in the regulation and were made part of the Rules and Regulations of the SCAQMD. CCR Section 2449.3 was renumbered to 2449.2 as part of amendments made to CCR Section 2449 on December 14, 2011. Staff is proposing an administrative amendment to SCAQMD Rule 2449 to revise the reference from Section 2449.3 to Section 2449.2 of Title 13 of the CCR.

The SCAQMD has reviewed the proposed project pursuant to CEQA Guidelines §§ 15002 (k)(1) and 15061, the first step of a three-step process for deciding which document to prepare for a project subject to CEQA. Because the proposed amendment to Rule 2449 is required in order to correctly reference state regulations, the SCAQMD exercises no discretion with regard to the proposed project; thus, the proposed project is considered to be ministerially exempt pursuant to CEQA Guidelines §15268 – Ministerial Projects. If approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside and San Bernardino counties immediately following action on the proposed project.

Any questions regarding this Notice of Exemption should be sent to Jeff Inabinet (c/o Planning, Rule Development & Area Sources) at the above address. Mr. Inabinet can also be reached at (909) 396-2453.

**Date:** July 11, 2014

**Signature:** To be signed upon project approval

Michael Krause  
Program Supervisor, CEQA Section  
Planning, Rule Development &  
Area Sources

## NOTICE OF EXEMPTION

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<b>To:</b> County Clerks of Los Angeles, Orange, Riverside, San Bernardino	<b>From:</b> South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765
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**Project Title:**

Proposed Amended Rule 2449 – Control of Oxides of Nitrogen Emissions from Off-Road Diesel Vehicles

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**Project Location:**

South Coast Air Quality Management District (SCAQMD) area of jurisdiction consisting of the four-county South Coast Air Basin (Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties), and the Riverside County portions of the Salton Sea Air Basin and the Mojave Desert Air Basin.

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**Description of Nature, Purpose, and Beneficiaries of Project:**

The provisions of Article 4.8, Chapter 9, Title 13 of the California Code of Regulations (CCR), Section 2449.3, in effect June 15, 2008, were adopted in full by the SCAQMD on May 2, 2008 through the “opt-in” provision provided in the regulation and were made part of the Rules and Regulations of the SCAQMD. CCR Section 2449.3 was renumbered to 2449.2 as part of amendments made to CCR Section 2449 on December 14, 2011. Staff is proposing an administrative amendment to SCAQMD Rule 2449 to revise the reference from Section 2449.3 to Section 2449.2 of Title 13 of the CCR.

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**Public Agency Approving Project:**

South Coast Air Quality Management District

**Agency Carrying Out Project:**

South Coast Air Quality Management District

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**Exempt Status:**

CEQA Guidelines §15002 (k)(1) – General Concepts  
CEQA Guidelines §15061 – Review for Exemption  
CEQA Guidelines §15268 – Ministerial Projects

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**Reasons why project is exempt:**

The SCAQMD has reviewed the proposed amendment to Rule 2449, pursuant to CEQA Guidelines §15002 (k)(1) – General Concepts, and CEQA Guidelines §15061 – Review for Exemption, and has determined that the proposed amendment is ministerially exempt from CEQA because the SCAQMD has no discretion with regard to the proposed project. Therefore, the SCAQMD has determined that the proposed project is exempt from CEQA pursuant to CEQA Guidelines §15268 – Ministerial Projects.

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**Project Approval Date:**

SCAQMD Governing Board Hearing: July 11, 2014, 9:00 a.m.; SCAQMD Headquarters

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<b>CEQA Contact Person:</b>	<b>Phone Number:</b>	<b>Fax Number:</b>	<b>Email:</b>
Mr. Jeffrey Inabinet	(909) 396-2453	(909) 396-3324	<a href="mailto:jinabinet@aqmd.gov">jinabinet@aqmd.gov</a>

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<b>Rule Contact Person:</b>	<b>Phone Number:</b>	<b>Fax Number:</b>	<b>Email:</b>
Mr. Randall Pasek	(909) 396-2251	(909) 396-3324	<a href="mailto:rpasek@aqmd.gov">rpasek@aqmd.gov</a>

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Date Received for Filing \_\_\_\_\_

Signature           *To be signed upon project approval*          

Michael Krause  
Program Supervisor, CEQA Section  
Planning, Rule Development  
and Area Sources